

DEBORAH MARTIN, )  
)  
Plaintiff, )  
)  
v. ) No. 4:04-CV-1669 CAS  
)  
)  
JO ANNE B. BARNHART, Commissioner )  
of Social Security, )  
)  
Defendant. )

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge Terry I. Adelman, filed December 16, 2005. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the decision of the Commissioner be affirmed and that claimant's complaint be dismissed for lack of jurisdiction.

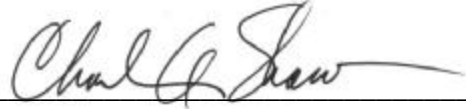
After **de novo** review of the matter, the Court concurs with the recommendation of the Magistrate Judge for the reasons set forth in the thorough and well-reasoned Report and Recommendation.

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 15]

**IT IS FURTHER ORDERED** that the decision of the Commissioner is **AFFIRMED**

and this case is dismissed for lack of jurisdiction.

An appropriate judgment will accompany this order.

A handwritten signature in black ink, appearing to read "Charles A. Shaw", written over a horizontal line.

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 28th day of December, 2005.

